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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX ) MDL CASE NO.: 05-CV-1699  
MARKETING SALES PRACTICES AND )  
PRODUCT LIABILITY LITIGATION )

ACQUAROLE, et al., ) CASE NO. CGC-06-449463  
 ) MDL Case No. 06-2392 CRB

Plaintiffs, ) STIPULATION AND ORDER OF  
 ) DISMISSAL WITH PREJUDICE  
vs. ) AS TO PLAINTIFF ED TUCKER

PFIZER, INC., et al. )  
 )  
Defendants. )

COME NOW, Plaintiff ED TUCKER and Defendants PFIZER, INC., et al., by and  
through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF ED TUCKER**

1 hereby stipulate to the dismissal of Plaintiff ED TUCKER from this action, with prejudice, each  
2 side bearing its own attorney's fees and costs.

3  
4 Respectfully submitted,

5  
6 Dated: September 24, 2009

**KABATECK BROWN KELLNER LLP**

7  
8 By: 

Brian S. Kabateck, Esq.  
Attorneys for Plaintiff ED TUCKER

9  
10  
11 Dated: October 27, 2009

**DLA PIPER LLP**

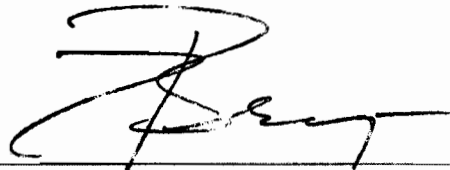
12  
13 By: /S/

Matthew A. Holian  
Attorney for Defendants PFIZER, INC., et al.

14  
15  
16 **ORDER**

17  
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**  
19 **SO ORDERED.**

20  
21 Dated: OCT 29 2009

  
Honorable Charles R. Breyer  
United States District Court